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4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT TACOMA

7 RICARDO LEE AGUILAR,

8 Plaintiff,

9 v.

10 CORRECTIONAL OFFICER ERIC
11 ROBERTSON, *et al.*,

12 Defendants
13

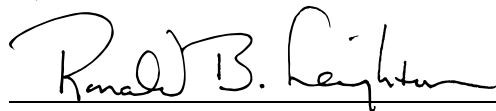
NO. 09-5532RBL/JRC

ORDER ADOPTING REPORT AND
RECOMMENDATION

14 The Court, having reviewed the Report and Recommendation of Magistrate Judge J.
15 Richard Creatura, objections to the Report and Recommendation, if any, and the remaining
16 record, does hereby find and ORDER:

- 17 (1) The Court adopts the Report and Recommendation;
- 18 (2) Defendant's Motion for Judgment on the pleadings is GRANTED. The
19 action is DISMISSED WITH PREJUDICE with the dismissal counting as a
20 strike pursuant to 28 U.S.C. 1915 (g).
- 21 (3) All pending motions are DENIED AS MOOT.
- 22 (4) The Clerk is directed to send copies of this Order to plaintiff, and to the Hon. J.
23 Richard Creatura.

24 DATED this 30th day of August, 2010.

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26 RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE